

Paragraph [0010]:

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B United States Patent No. 5,087,513 to Kim describes a flame retardant composite which may be woven into fabrics such as KEVLAR, polyester or nylon for use as the first layer of a two layer composite. However, the Kim patent is chemical in nature and does not suggest application of its particular chemical composition to a fuel tank application.

Paragraph [0011]:

United States Patent No. 5,285,920 to McGarvey describes an above-ground fire resistant tank having a thermal barrier which may be injected with foam. However, McGarvey does not suggest the use of KEVLAR or MYLAR but suggests a hydrate aluminum-iron magnesium silicate to be used in conjunction with Portland cement.

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B Paragraph [0014]:

United States Patent No. 5,924,134 to Taylor et al. describes a protective garment with a foam liner sandwiched by MYLAR layers to produce a fire-retardant composite. It should be noted that this patent is specifically directed to a garment and does not suggest the application of this barrier layer to above-ground fuel storage systems.

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B Paragraph [0018]:

The insulating foam material located in the interstitial area between the primary inner tank and the secondary outer tank can be polystyrene, urethanes, polymethyl methacrylate, or a variety of other polymers. For most embodiments and applications of the present invention, the foam material is preferably a synthetic polymer or rubber. The fire resistant textile material can be a high-temperature polyester film material such as MYLAR or KEVLAR.

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B Paragraph [0032]:

FIG. 3 shows the double wall construction of the present invention in which the interstitial space 25 is filled with insulating material 40 and encased by the outer secondary tank wall 30 and the inner primary tank wall 20. In the preferred embodiment the insulating material 40 is a foam material comprised of synthetic polymer such as polystyrene, urethanes, or

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B polymethyl methacrylate. Fire resistant textile material 50 that is sandwiched between the foam material and the outer secondary tank provides additional fire protection from leakage or penetration of the secondary tank 30. The fire resistant textile material 50 in the preferred embodiment is a high-temperature polyester film material such as MYLAR or KEVLAR.

Supplemental Exhibit A attached hereto indicates how the original paragraph was amended to produce the re-written paragraph submitted herewith. Added terms are underscored and deleted terms are bracketed.

IN THE CLAIMS:

1. (amended) An aboveground storage tank for flammable and combustible liquids having secondary containment capability, comprising:  
an inner primary tank for storing the liquid;  
an outer secondary tank encasing said inner primary tank defining a substantially uniform interstitial area therebetween;  
an insulating foam material disposed of in the substantially uniform interstitial area; and  
a fire resistant polymer material sandwiches between the foam material and the outer secondary tank so that a fire resistant composite comprised of insulating foam and fire resistant polymer material encases the inner primary tank.

2. (amended) The storage tank of claim 1 in which the inner primary tank is hot rolled carbon steel.

3. (amended) The storage tank of claim 1 in which the outer secondary tank is hot rolled carbon steel.

4. (amended) The storage tank of claim 1 in wherein the fire resistant polymer material is a polyethylene terephthalate polymer film.